

EXHIBIT

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**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

MELVIN LOWE,

Plaintiff/Petitioner,

vs.

MONTGOMERY COUNTY BOARD
OF EDUCATION; et al

Defendants/Respondent.

CIVIL ACTION NO: 2:05-CV-495WKW

AFFIDAVIT

STATE OF ALABAMA)
MONTGOMERY COUNTY)

BEFORE ME, the undersigned authority, personally appeared MARY LOWE who is known to me and who after first being duly sworn did depose and state under oath as follows:

1. My name is Mary Lowe. Melvin A. Lowe, III is my son. I have personal knowledge of the facts stated in this affidavit.
2. I have been employed by the Montgomery County Board of Education from 1978 to present. My current position is Attendance Officer in the Central Office.
3. On or about 1985, I filed an EEOC Complaint against the Montgomery County Board of Education alleging discrimination. At the time I filed this Complaint, Clinton Carter was the Associate Superintendent of the Montgomery County Board of Education.
4. Subsequent to filing the Complaint, I was notified of a court date in February. Prior to that date, I was offered a position as an Assistant Principal.
5. Clinton Carter was later appointed Superintendent of the Montgomery County

Education and continued in this position until 2004, when Dr. Carlinda Purcell obtained the position.


6. I had a conversation with the Assistant Superintendent of Student Support, Lois Johnson, who informed me that Superintendent Clinton Carter stated that Melvin "would only be a teacher in this school system.

7. Lois Johnson, Assistant Superintendent of Student Support, told me that when administrators view Melvin, they see her, and are not favorable about hiring him at that point.

8. Lois Johnson told me in a separate conversation in 2003 that people can sometimes get back at you through your children.

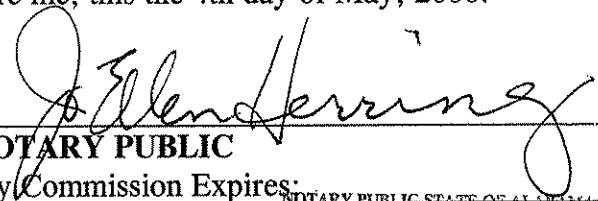
9. I once overheard a conversation that Jimmy Barker was having and heard Mr. Barker state that "Melvin's problem is that he's just like his mother."

Further the Affiant saith not.


MARY LOWE

STATE OF ALABAMA
MONTGOMERY COUNTY

SWORN TO and SUBSCRIBED before me, this the 4th day of May, 2006.


NOTARY PUBLIC
My Commission Expires: NOTARY PUBLIC STATE OF ALABAMA AT-LARGE
MY COMMISSION EXPIRES: Apr 18, 2009
BONDED THRU NOTARY PUBLIC UNDERWRITERS